IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 1ST JANUARY 2007 / 11TH POUSHA 1928

RCRev..No. 289 of 2006()

RCA.111/2004 of VI ADDL.DISTRICT COURT, ERNAKULAM
RCP.139/2003 of III ADDL.M.C.EKM (RENT CONTROL)
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REVN.PETITIONERS/APPELLANTS/RESPONDENTS
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1. THE NEW INDIA ASSURANCE CO. LTD.,
NEW INDIA ASSURANCE BUILDING 87,
MAHATMA GANDHI ROAD, FORT, BOMBAY-400 023.

2. THE NEW INDIA ASSURANCE CO. LTD.,
(BRANCH OFFICE), CC. NO.40/433, 1ST FLOOR,
CHANDRIKA BUILDINGS, M.G.ROAD, ERNAKULAM.

BY ADV. SRI.KKM.SHERIF
SRI.P.M.KUNJIMOIDEENKUTTY
SRI.T.K.SAIDALIKUTTY
SRI.LAL K.JOSEPH
SRI.A.A.ZIYAD RAHMAN
SMT.SHEENA SAMUEL

RESPONDENTS: RESPONDENTS/PETITIONERS
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1. C.K.JINNAN, AGED 51 YRS,
S/O. C.R.KESHAWAN VAIDYAN, NOW RESIDING AT
CHANDRIKA BHAVAN, H.NO.45,
MAIN DEFENCE COLONY, INDIRA NAGAR,
BANGALORE-560 038.

2. C.M.CHANDRIKA, D/O. LATE C.K.MANILAL,
AGED 48, NOW RESIDING AT 47 EXPRESS APARTMENTS,
RICHMOND ROAD, BANGALORE-560 025.

3. C.M.LATHIKA, D/O. C.K.MANILAL,
AGED 46, CHANDRIKA BHAVAN, KARAKKAMURI ROAD,
ERNAKULAM, KOCHI-11.

4. C.M.SUNIL, S/O. LATE C.K.MANILAL,
AGED 40, CHANDRIKA BHAVAN,
KARAKKAMURI ROAD, ERNAKULAM, KOCHI-11.

BY ADV. SRI.K.C.CHARLES
SRI.A.BALAGOPALAN
SRI.BASIL MATHEW

THIS RENT CONTROL REVISION HAVING BEEN FINALLY HEARD ON 01/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & A.K.BASHEER,JJ.

R.C.R.No.289 of 2006

Dated this the 1st day of January, 2007

O R D E R

Kurian Joseph,J.

This revision petition is at the instance of the respondents in R.C.P.No.139/2003 on the file of the Rent Controller, Ernakulam. Revision petitioners did not succeed in the appeal R.C.A.No.111/2004 on the file of the Rent Control Appellate Authority, Ernakulam. When the revision petition was taken up for hearing it was fairly submitted by counsel for the petitioners that they have found out an alternate accommodation and hence they are not pursuing the revision petition. All that they need is a breathing time to shift the office from the tenanted premises. They pray for three months' time. On an overall assessment of the situation we are of the view that it will be sufficient if a period of only two months is granted since the accommodation has already been found out and what remains is only shifting. Accordingly this revision petition is disposed of as follows:

(1) The revision petitioners will file an affidavit before the Rent

Controller within a period of ten days from today, undertaking to surrender vacant possession of the tenanted premises to the landlord within a period of two months from the date of filing the affidavit.

(2) The revision petitioners will surrender the key of the premises to the Rent Controller as expeditiously as possible, at any rate within the time undertaken in the affidavit.

(3) The revision petitioners will clear the arrears of rent, if any, forthwith and continue to pay the rent till the date of surrender.

(KURIAN JOSEPH, JUDGE)

(A.K.BASHEER, JUDGE)

ahg.

KURIAN JOSEPH &
A.K.BASHEER, JJ.

R.C.R.NO.289/2006

O R D E R

1st January, 2007